

IN THE SENATE OF THE UNITED STATES.

MAY 26, 1896.—Ordered to be printed.

Mr. BAKER, from the Committee on Pensions, submitted the following

REPORT:

[To accompany H. R. 2405.]

The Committee on Pensions, to whom was referred the bill (H. R. 2405) granting a pension to Maria Gibbons, have examined the same, and report:

The report of the Committee on Invalid Pensions of the House of Representatives, hereto appended, is adopted, and the passage of the bill is recommended.

HOUSE REPORT.

In April, 1864, the commanding officer of the District of the Frontier (Gen. A. W. Bishop), at Fort Smith, Ark., in order to protect the district from the invasion and incursion of rebel hordes and guerrilla bands which infested that section of the country, ordered and directed the organization of the First Regiment of Arkansas State Militia, and James Gibbons organized and became captain of Company B of that regiment, and entered at once upon active duty.

In an engagement with guerrilla bands or Confederates about 20 miles from Fort Smith, Ark., on May 22, 1864, Capt. James Gibbons received two gunshot wounds in the breast and side, and was brought to Fort Smith by his comrades, and died therefrom in the hospital at Fort Smith on May 24, 1864. The engagement was participated in by a portion of the Twelfth and Fourteenth Regiments of Kansas Infantry Volunteers.

Capt. A. Jackson Jennings, of Company E, Twelfth Kansas Infantry, and First Lieut. Joseph R. Pratt of Company L, Fourteenth Kansas Cavalry, both testify to Capt. James Gibbons being wounded and having died in general hospital at Fort Smith, as before stated.

A. W. Bishop, then adjutant-general of Arkansas, testified on November 1, 1866, that—

“Capt. James Gibbons, of Company B, First Battalion Arkansas State Militia, died at Fort Smith on or about May 24, 1864, of wounds received in a skirmish. The militia to which he belonged was organized by the said A. W. Bishop, as commander of the post of Fort Smith, Ark., in April, 1864, acting under orders from the commander of the District of the Frontier, Department of Arkansas; but what has become of their company rolls affiant can not state. I was relieved as commander of the post in May, 1864, and turned over all papers pertaining to this militia to my successor, Colonel Judson, Sixth Kansas Cavalry Volunteers.

Maria Gibbons, the claimant, filed an application for pension June 8, 1866, alleging the facts as stated, and that she was married to Capt. James Gibbons at Kilmaine, Ireland, August 30, 1844, and lived with him up to date of his death.

Her claim was rejected June 30, 1871, on the ground that the records failed to show that Capt. James Gibbons was in the service of the United States or that his company was under the command of a United States officer at the time he received the wounds from which he died.

Your committee believe this case a meritorious one. The claimant is now very old and in destitute circumstances, being supported by relatives and friends, and is unable to understand why her husband's service should not be recognized, when he voluntarily gave up his life in defense of his country and the protection of citizens and property in that locality, and, as he and the officers and men with him believed, under direct orders.

Your committee earnestly recommend that the bill do pass.

